

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months	\$2,010.00	\$1,005.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$110.00

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	46	minus	26	20	x \$18/\$9 each=	\$ 360.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	3	1	x \$86/\$43 each=	\$ 86.00
First presentation of Multiple dependent claim(s): previously paid					\$290/\$145	\$ 0.00
SUB-TOTAL =						\$ 446.00
Fee for <u>1</u> Month Extension of Time						\$ 110.00
TOTAL FEE =						\$ 556.00

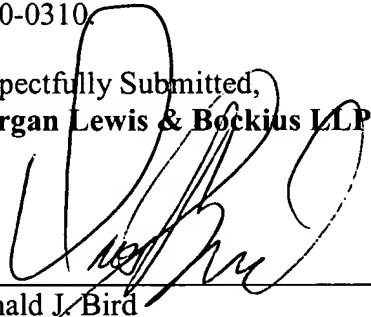
6. Fee Payment

- ☒ The Commissioner is hereby authorized to charge **\$556.00** to Deposit Account No. 50-0310 for Additional Claims Fee (\$360.00); Additional Independent Claims Fee (\$86.00); and One-Month Extension of Time Fee (\$110.00).
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: January 20, 2004
Morgan Lewis & Bockius LLP
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PATENT
ATTORNEY DOCKET NO.: 056291-5046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
)
CUMMING) Group Art Unit: 1614
)
Appln. No.: 09/937,018) Examiner: Rao, Deepak R.
)
Filed: September 20, 2001)
)
FOR: PYRIDINE AND PYRIMINDINE)
DERIVATIVES AND THEIR USE AS)
INHIBITORS OF CYTOKINE MEDIATED)
DISEASE)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: January 20, 2004

Sir:

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

This is in response under 37 C.F.R. § 1.116 to the Final Action dated September 24, 2003, the time for responding to which has been extended to and including January 24, 2004, by Petition and fee submitted herewith. Please amend the claims as follows, in order to place them in condition for allowance or in better condition for appeal:

01/21/2004 MGBREM1 00000079 500310 09937018

02 FC:1201 86.00 DA
03 FC:1202 360.00 DA